

## REMARKS

Claims 1-4 and 6-25 are currently pending. Claims 1, 12, 15, 20, and 23 have been amended. Claim 5 has been cancelled and claims 24 and 25 have been added.

The Examiner rejected claims 20 and 22 under 35 U.S.C. §102(b) as being anticipated by Hastings (U.S. Patent No. 4,084,284).

Amended claim 20 defines a lawnmower that includes a deck defining a discharge opening, an engine supported by the deck, and a cutting blade rotating below the deck in response to operation of the engine. A bag assembly is releasably mounted to said deck and includes a bag communicating with said discharge opening. The bag assembly also includes at least one wheel and a handle movable between a retracted condition and an extended condition. Movement of said handle is inhibited when the bag assembly is attached to said deck such that the handle is movable into said extended condition only when said bag assembly is detached from said deck to facilitate rolling said bag assembly away from the rest of said lawnmower.

Hastings does not teach or suggest a handle that is inhibited from movement when the bag assembly is attached to the deck and movable into an extended condition only when the bag assembly is detached from the deck. Rather, Hastings discloses a lawn implement that includes a removable bag having an extendable push bar 19. The push bar is disposed near the rear portion of the bag (away from the engine), and as such appears to be extendable at any time. In any event, Hastings does not teach or suggest that movement of the handle to the extended condition can only occur when the bag assembly is detached from the deck.

In light of the foregoing, Hastings does not teach or suggest each and every limitation of claim 20. As such, claim 20 is allowable. In addition, claim 22 and new claim 25, which

depend from claim 20, are allowable for these and other reasons.

The Examiner rejected claims 1-4, 10, 12-13, 15, and 19 under 35 U.S.C. §103(a) as being unpatentable over Nuss (EP Patent No. EP 0 009 774) in view of Sugiyama et al. (U.S. Patent No. 6,735,930).

Amended claim 1 defines a lawnmower that includes, among other things, a bag handle coupled to a bag assembly. The bag handle is movable between an extended position and a retracted position only when the bag assembly is detached from the rest of the lawnmower.

Nuss does not teach or suggest, among other things, a bag handle that is movable between an extended position and a retracted position. Rather, Nuss discloses a container for a lawnmower that includes a handle 9 that is formed as part of the container. The handle is not movable between an extended position and a retracted position.

Sugiyama does not cure the deficiencies of Nuss. Sugiyama discloses a grass collection container that includes a bag 9 that is supported by a frame 10. A handle 16 is attached to the frame to facilitate the removal and carrying of the bag. The handle is fixed relative to the frame. Thus, Sugiyama does not teach or suggest that the handle is movable between an extended position and a retracted position.

In light of the foregoing, Nuss and Sugiyama, alone or in combination, do not teach or suggest each and every limitation of claim 1. As such, claim 1 is allowable. In addition, claims 2-4, 10, and 24, which depend from claim 1, are allowable for these and other reasons.

Amended claim 12 defines a bag assembly for use on a lawnmower having a deck with a discharge opening. The bag assembly includes, among other things, a bag handle coupled to the frame and movable between an extended position and a retracted position. The bag handle

is positioned such that the lawnmower inhibits movement of the handle from the retracted position to the extended position when the frame is attached to the lawnmower.

As discussed with regard to claim 1, Nuss does not teach or suggest a bag handle that is movable, much less movable between an extended position and a retracted position. In addition, Nuss does not teach or suggest a handle that is inhibited from movement by the lawnmower.

Sugiyama does not cure the deficiencies of Nuss. Sugiyama discloses a grass collection apparatus that includes a bag, a frame, and a handle. However, as discussed with regard to claim 1, the handle is not movable, nor is it inhibited from movement by the lawn implement.

In light of the foregoing, Nuss and Sugiyama, alone or in combination, do not teach or suggest each and every limitation of claim 12. As such, claim 12 is allowable. In addition, claim 13 depends from claim 12 and is allowable for these and other reasons.

Amended claim 15 defines a lawnmower that includes, among other things, a door that is pivotally mounted to a plate and biased toward a closed position in which the door covers a discharge opening. A bag handle is coupled to a frame and is movable between a retracted position and an extended position. The door inhibits movement of the handle when the bag assembly is attached to the deck.

As discussed with regard to claim 1, Nuss does not teach or suggest a bag handle that is movable between a retracted position and an extended position. Sugiyama does not cure the deficiencies of Nuss. Sugiyama discloses a grass collection apparatus that includes a handle that is substantially fixed relative to the bag and cannot move from a retracted position to an extended position. In addition, Sugiyama does not teach or suggest a door that inhibits

movement of the handle when the bag is attached to the mower deck.

In light of the foregoing, Nuss and Sugiyama, alone or in combination, do not teach or suggest each and every limitation of claim 15. As such, claim 15 is allowable. In addition, claim 19 depends from claim 15 and is allowable for these and other reasons.

The Examiner rejected claims 5-9 and 16-18 under 35 U.S.C. §103(a) as being unpatentable over Nuss in view of Sugiyama et al. and further in view of Hastings.

Claim 5 has been cancelled. Claims 6-9 depend from claim 1 and add additional limitations. As discussed with regard to claim 1, Nuss and Sugiyama, alone or in combination, fail to teach or suggest all of the limitations of claim 1.

Hastings does not cure the deficiencies of Nuss and Sugiyama. Hastings discloses a lawn implement that includes a removable bag having an extendable push bar. The push bar is disposed near the rear portion of the bag, and as such appears to be extendable at any time. Thus, Hastings does not teach or suggest that movement of the handle to the extended condition can only occur when the bag assembly is detached from the deck as recited in claim 1.

In light of the foregoing, Nuss, Sugiyama, and Hastings, alone or in combination, do not teach or suggest each and every limitation of claim 1. As such, claim 1 is allowable. In addition, claims 6-9, which depend from claim 1, are allowable for these and other reasons.

Claims 16-18 depend from claim 15. As discussed with regard to claim 15, Nuss and Sugiyama, alone or in combination, do not teach or suggest each and every limitation of claim 15.

Hastings does not cure the deficiencies of Nuss and Sugiyama. Hastings does not teach or suggest a door that is pivotally mounted to a mower deck. Furthermore, Hastings

does not teach or suggest a movable bag handle, and the door inhibiting movement of the handle when the bag is attached to the mower deck.

In light of the foregoing, Nuss, Sugiyama, and Hastings alone or in combination, do not teach or suggest each and every limitation of claim 15. As such, claim 15 is allowable. In addition, claims 16-18 depend from claim 15 and are allowable for these and other reasons.

The Examiner rejected claims 11 and 14 under 35 U.S.C. §103(a) as being unpatentable over Nuss in view of Sugiyama et al. and further in view of Shaw (U.S. Patent No. 3,065,588).

Claim 11 depends from claim 1. As discussed with regard to claim 1, Nuss and Sugiyama, alone or in combination, do not teach or suggest each and every limitation of claim 1.

Shaw does not cure the deficiencies of Nuss and Sugiyama. Shaw discloses a catching container 65 that attaches to the rear of a lawn mower. However, the carrier does not include a handle that is movable between a retracted position and an extended position. Furthermore, Shaw does not teach or suggest a handle that is movable between the extended and retracted positions only when the bag is detached from the lawnmower as recited in claim 1.

In light of the foregoing, Nuss, Sugiyama, and Shaw, alone or in combination, do not teach or suggest each and every limitation of claim 1. As such, claim 1 is allowable. In addition, claim 11 depends from claim 1 and is allowable for these and other reasons.

Claim 14 depends from claim 12. As discussed with regard to claim 12, Nuss and Sugiyama, alone or in combination do not teach or suggest each and every limitation of claim 12.

Shaw does not cure the deficiencies of Nuss and Sugiyama. Shaw does not teach or

suggest a bag that includes a handle member that is movable between a retracted and an extended position. In addition, Shaw does not teach or suggest a movable handle that is inhibited from movement to the extended position by the lawnmower when the bag assembly is coupled to the lawnmower.

In light of the foregoing, Nuss, Sugiyama, and Shaw, alone or in combination, do not teach or suggest each and every limitation of claim 12. As such, claim 12 is allowable. In addition, claim 14 depends from claim 12 and is allowable for these and other reasons.

The Examiner rejected claim 21 under 35 U.S.C. §103(a) as being unpatentable over Hastings in view of Nuss.

Claim 21 depends from claim 20. As discussed with regard to the 35 U.S.C. §102(b) rejection of claim 20, Hastings does not teach or suggest each and every limitation of claim 20.

Nuss does not cure the deficiencies of Hastings. Nuss discloses a bag for a lawnmower that includes a handle. The handle is not movable between an extended position and a retracted position, nor is movement of the handle inhibited such that it is only movable when the bag is detached from the lawnmower.

In light of the foregoing, Hastings and Nuss, alone or in combination, do not teach or suggest each and every limitation of claim 20. As such, claim 20 is allowable. In addition, claim 21 depends from claim 20 and is allowable for these and other reasons.

The Examiner rejected claim 23 under 35 U.S.C. §103(a) as being unpatentable over Hastings in view of Sugiyama.

Claim 23 depends from claim 20. As discussed with regard to the 35 U.S.C. §102(b) rejection of claim 20, Hastings does not teach or suggest each and every limitation of claim

20.

Sugiyama does not cure the deficiencies of Hastings. Sugiyama discloses a bag that attaches to a lawnmower. The bag includes a handle that is fixedly attached to a frame. The handle is not movable from an extended position to a retracted position, nor is movement of the handle inhibited such that it is only movable when the bag is detached from the lawnmower.

In light of the foregoing, Hastings and Sugiyama, alone or in combination, do not teach or suggest each and every limitation of claim 20. As such, claim 20 is allowable. In addition, claim 23 depends from claim 20 and is allowable for these and other reasons.

### **CONCLUSION**

In light of the foregoing, Applicant respectfully submits that Claims 1-4 and 6-25 are allowable.

The undersigned is available for telephone consultation during normal business hours.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daniel S. Jones", written in a cursive style.

Daniel S. Jones  
Reg. No. 42,697

Docket No.: 013002-9050-00  
Michael Best & Friedrich LLP  
100 East Wisconsin Avenue  
Milwaukee, Wisconsin 53202-4108

(414) 271-6560